	1 2 3 4 5 6 7	COX, WOOTTON, GRIFFIN, HANSEN & POULOS, LLP Terence S. Cox (SBN 076142) Marc T. Cefalu (SBN 203324) 190 The Embarcadero San Francisco, CA 94105 Telephone No.: 415-438-4600 Facsimile No.: 415-438-4601 Attorneys for Defendant, MAERSK LINE, LTD.			
	8	UNITED STATES DISTRICT COURT			
	9	NORTHERN DISTRICT OF CALIFORNIA			
	10	SAN FRANCI	ISCO DIVISION		
	11	SAMUEL GARRETT,) Case No.: C 07 3318 EMC		
	12	Plaintiff,) STIPULATION AND (PROPOSED) ORDER		
	13	V.) DISMISSING, WITHOUT PREJUDICE, DEFENDANT U.S.		
	14	U.S. SHIP MANAGEMENT, INC., SEALAND SERVICES, INC., MAERSK	SHIP MANAGEMENT, INC., AND SEALAND SERVICES, INC. AND		
	15	LINE LIMITED and DOES 1 – 10, in personam, and M/V SEA-LAND	CORRECTING NAME OF PROEPER IN PERSONAM		
	16	METEOR their engines, tackle, apparel, furniture, etc., <i>in rem</i> ,) DEFENDANT AS MAERSK LINE LIMITED		
	17	Defendants.			
18 19)		
		<u>STIPULATION</u>			
,	20	IT IS HEREBY STIPULATED by and between the parties to this action, through			
	21 their respective counsel, that:				
	22	(1) The defendants U.S. Ship Management, Inc., and Sealand Services, Inc., be			
	23	dismissed, without prejudice, as in personam defendants;			
COX, WOOTTON, GRIFFIN, HANSEN & POULOS, LLP 190 THE EMBARCADERO SAN FRANCISCO, CA 94105 TEL: 415-438-4600 FAX: 415-438-4601	24	(2) The plaintiff, at his sole discretion, will be entitled to further amend the			
	25	Complaint naming U.S. Ship Management, Inc., and Sealand Services, Inc.,			
		as individual defendants should he conclude in good faith that the evidence			
	27	warrants his including those to	wo defendants as parties to the action. Any		
MAERSK.Garrett/2520	28	such amendment shall be mad	e, filed and served at least thirty-five (35) days		

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prior to the close of discovery as set by the Court, may be personally served

	2	on defense counsel and will require a responsive pleading to be filed b		
	defendants within two weeks of said service.		thin two weeks of said service.	
4		(3) The parties fu	rther stipulate that the incorrectly named defendant "Maersk	
	5 Lines, Limited," be corrected to read "Maersk Line, Limited."		l," be corrected to read "Maersk Line, Limited."	
	6	(4) The parties fu	The parties further stipulate and agree that an amended Complaint need not	
	7	be filed at this	be filed at this time and the parties agree, upon Order of the Court, that the	
	Complaint be deemed amended to dismiss U.S. Ship Management, Inc Sealand Services, Inc., and to substitute the name "Maersk Line, Limite		deemed amended to dismiss U.S. Ship Management, Inc., and	
			ces, Inc., and to substitute the name "Maersk Line, Limited," in	
10		place of the incorrectly named "Maersk Lines, Limited." All further filings		
	11	in this action	ction shall be made with the caption being Samuel Garrett v. Maersk	
12		Line, Limited and Does 1-10, in personam, and M/V Sea-Land Explorer and		
	13	M/V Sea-Land Meteor their engines, tackle, apparel, furniture, etc., in		
	14			
	15	Dated: August 17, 2007	BANNING, MICKLOW & BULL Attorneys for Plaintiff	
16			SAMUEL GARRETT	
	17			
	18		By <u>/S/</u> Edward M. Bull, III	
19 20 21 22 23 24	19			
	20	Dated: August 17, 2007	COX, WOOTTON, GRIFFIN, HANSEN & POULOS, LLP	
	21		Attorneys for Defendant, MAERSK LINE, LTD.	
	22			
	23		By: <u>/S/</u>	
	24		Marc T. Cefalu	
COX, WOOTTON, GRIFFIN, HANSEN & POULOS, LLP 190 THE EMBARCADERO SAN FRANCISCO, CA 94105 TEL: 415-438-4600 FAX: 415-438-4601	25	ORDER STATES DISTRICT CO		
	26	PURSUANT TO STIPULATION IT IS SO ORDERED.		
	27	9/6/07 Datadi Avenet 2007	IPULATION IT IS SO ORDERED IT IS SO ORDERED One of the state of the	
MAERSK.Garrett/2520	28	Dated: August, 2007	By Judge Martin J. Jenkins	
		STIPULATION AND [PROPOSED] ORD	-2- ER DISMISSING, WITHOUT PREJUDICE: DEFENDANT U.S. SHEAMAY AGEMENT $DISTRICT$	
			O101 RIC	